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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA)	
)	
Petitioner,)	
)	
v.)	Civil Case No. 25-mc-00011 (ADC-GLS)
)	
ANA IZQUIERDO,)	
)	
Respondent.)	

MOTION TO STRIKE

Respondent, Ana Izquierdo, respectfully moves, pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, that this Court strike paragraphs 6 and 7 (or certain portions thereof) of the Petition to Enforce Internal Revenue Service Summons (the “Petition”) for the reason that those paragraphs contain matter that is immaterial impertinent and/or scandalous.

In support of this motion, Respondent states as follows:

1. Respondent received a letter from IRS Senior Attorney Bryant Smith in September 2024 referring to a previously issued Summons issued to Respondent.
2. Prior to receiving the aforementioned letter, Respondent had not been aware that the IRS attempted summons Respondent.
3. Respondent immediately engaged counsel, who reached out to the IRS Revenue Agent Jean Lane.
4. Respondent’s counsel and Revenue Agent Jean Lane, and Bryant Smith spoke on October 11, 2024. During the course of that conversation, they discussed whether the Summons was properly issued and/or served, as well as Respondent’s willingness to participate in a summons interview. During that conversation, the parties agreed that

the IRS would not subsequently argue that Respondent failed to appear for the summons interview in July 2024 and Respondent would not argue that the IRS failed to properly serve the summons on Respondent.

5. Despite this agreement, Petitioner's allegations in paragraphs 6 and 7 of the Petitioner, at a minimum, suggest Respondent ignored an IRS summons, and at worse suggest or imply that Respondent did not act in good faith with respect to the Summons.
6. On the contrary, Respondent immediately responded to the IRS once she received notice that a Summons had been issued and voluntarily appeared at the agreed-upon time and place, instead of exercising her right to contest the validity of the issuance and/or service of the summons.
7. Additionally, Respondent appeared in good faith to the scheduled summons interview and responded, with particularity, to each and every question posed, with either a substantive answer or a proper assertion of one or more privileges.

WHEREFORE, Respondent respectfully requests that this Court strike paragraphs 6 and 7 of the Petition entirely. In the alternative, Respondent respectfully requests that this Court strike the second sentence of paragraph 6 and first two sentences of paragraph 7 of the Petition.

Date: February 18, 2025

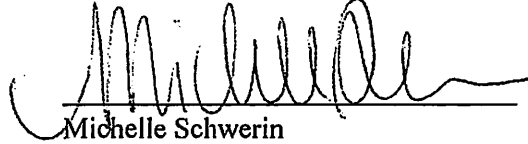
Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ana C. Izquierdo Henn", is written over a horizontal line.

Ana Izquierdo Henn
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 18th day of February, a copy of the foregoing was sent to Assistant United States Attorney Desiree Laborde-Sanfiorenzo by email to desiree.laborde@usdoj.gov.



Michelle Schwerin